
**Technology, Energy &
Communications Committee**

HB 1020

Brief Description: Regarding electrical transmission.

Sponsors: Representatives Morris and B. Sullivan.

Brief Summary of Bill

- Allows a person developing new transmission in excess of 115 kilovolts to seek site certification through the Energy Facility Site Evaluation Council.
- Provides that, on or after July 1, 2007, Energy Facility Site Evaluation Council must approve applications for siting of new transmission facilities or for expanding or reconstructing existing transmission facilities in corridors designated for these facilities by a county or city comprehensive land use plan when the county or city has taken certain steps.

Hearing Date: 1/14/05

Staff: Sarah Dylag (786-7109).

Background:

EFSEC Licensing

The Energy Facility Site Evaluation Council (EFSEC) was created in 1970 to provide one-stop licensing for large energy projects. Council membership includes mandatory representation from five state agencies and discretionary representation from four additional state agencies. The Council's membership may include representatives from the particular city, county, or port district where potential projects may be located.

The EFSEC's jurisdiction includes the siting of large intrastate natural gas and petroleum pipelines, electric power plants above 350 megawatts, new oil refineries, large expansions of existing facilities, and underground natural gas storage fields. For electric power plants, the EFSEC's jurisdiction extends to those associated facilities that include new transmission lines that operate in excess of 200 kilovolts and are necessary to connect the plant to the Northwest power grid. Developers of energy facilities that exclusively use alternative energy resources, regardless of the size of the facility's generation capacity, may choose to use the EFSEC process to site the facility.

The EFSEC siting process generally involves six steps: (1) A potential site study followed by an application; (2) State Environmental Policy Act review; (3) Review for consistency with applicable local land use laws and plans; (4) A formal adjudication on all issues related to the project; (5) Certain air and water pollution discharge permitting reviews as delegated by the U.S. Environmental Protection Agency; and (6) A recommendation to the Governor who then decides whether to accept, reject, or remand the application. A certification agreement approved by the Governor preempts any other state or local regulation concerning the location, construction, and operational conditions of an energy facility.

Under the EFSEC process, the applicant is required to pay the costs of the Council in processing an application.

County and City Growth Management

Under the Growth Management Act, certain counties and cities must develop comprehensive land use plans outlining the coordinated land use policy of the county or city. The comprehensive land use planning process includes adopting development regulations, such as zoning ordinances, critical areas ordinances, and binding site plan ordinances.

Summary of Bill:

A person developing new transmission lines or expanding or reconstructing existing transmission lines that operate in excess of 115 kilovolts may use the EFSEC process to obtain siting approval for the transmission lines.

On or after July 1, 2007, the EFSEC must approve applications for siting of new transmission facilities or for expanding or reconstructing existing transmission facilities in corridors designated for these facilities in a county or city comprehensive land use plan where the county or city has:

- Identified electrical transmission facility corridors as part of its comprehensive plan and adopted policies and maps that guide the siting of electrical transmission facilities;
- Adopted development regulations that implement the siting of electrical transmission facilities; and
- Coordinated its applicable plan and regulations with jurisdictions that have common borders or related regional electrical transmission facility siting issues.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.